

# PLANNING COMMISSION REPORT



MEETING DATE: January 14, 2004

ITEM NO. \_\_\_\_\_

GOAL: Coordinate Planning to Balance Infrastructure

## SUBJECT

**Sprint PCS - 32-UP-2003**

## REQUEST

Request to approve a conditional use permit for a wireless communication facility to be located within two flagpoles on a 336 +/- square foot portion of a parcel located at 7609 E Indian Bend Road with Multi-Family Residential District (R-5) zoning.

### Key Items for Consideration:

- All flagpoles are classified as Type 4 applications, which require a conditional use permit according to the zoning ordinance.
- The site is located off of a private drive with very little visibility from Indian Bend Road.
- The flagpoles have been placed in an area with other existing vertical elements including the residential buildings and palm trees.
- The two new flagpoles have proposed heights of 47 feet and 45 feet. The pole diameters have been proposed at 14 inches and 12 inches, respectively.
- If the conditional use permit is approved, it is limited to five (5) years and re-application will be required at that time.

### Related Policies, References:

12-ZN-86, 12-ZN-86#2, and 24-DR-2000

## OWNER

United Assets Inc  
480-951-2400

## APPLICANT CONTACT

Michael Cronin  
Starbridge Communications LLC  
602-224-9616 x208

## LOCATION

7609 E Indian Bend Rd

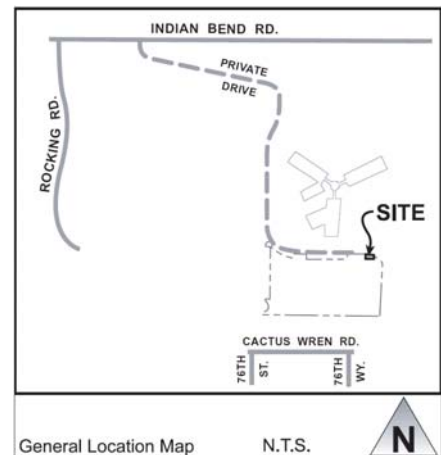
## BACKGROUND

### Zoning.

The site is zoned multi-family residential district, conditional (R-5, C). This zoning district allows for Type 4 Wireless Communications Facilities with a conditional use permit.

### Context.

The Paradise View Villas Condominiums are located south of Indian Bend Road off of a private drive. The official address is 7609 East Indian Bend Road. The property is surrounded with residential uses, open space, and the Arizona Canal. The property to the west is another condominium project,



Sienna Condominiums, zoned multi-family residential district (R-5). To the south is a single-family neighborhood zoned and to the east is the Arizona Canal and Silverado Golf course zoned Open Space (O-S). The property to the north, owned by the applicant of this application, is zoned Resort/Townhouse residential (R-4R) and consists of the Holiday Inn hotel.

APPLICANT'S  
PROPOSAL

**Goal/Purpose of Request.**

Presently, Sprint has their Wireless Communications Facility (WCF) on top of the Holiday Inn hotel along Indian Bend Road. That property is under redevelopment and plans are underway to demolish the hotel in the beginning of 2004. Sprint has looked in the immediate area for another site with the same service capabilities to relocate their existing facilities.

The applicant proposes to place two flagpoles at the entrance (northern property line) of the Paradise View Villas Condominiums. Currently the condominiums are under construction and there will be disclosure of the WCF's within the flagpoles to the future residents. The entrance to the condos is located off of a private drive that runs south of Indian Bend Road. One flagpole will be 47 feet in height and the other 45 feet. The taller flagpole will have a 14-inch diameter pole to conceal two antennas and the shorter a 12-inch diameter pole to conceal one antenna. The poles will not be tapered and will be painted brown (Silvered Bark) to match the existing gates at the entrance. The existing dumpster enclosure will be extended 14 feet to house the new WCF equipment.

IMPACT ANALYSIS

**Development information.**

- *Existing Use:* Multi-Family Residential
- *Buildings/Description:* Existing three story condominiums
- *Parcel Size:* 3.52 acres, the facility will be placed on 336 sq. ft. of the total area
- *Building Height Allowed:* 36 ft.
- *Existing Building Height:* 36 ft.

**Traffic/Parking**

The proposal is for an unmanned telecommunications facility. One maintenance vehicle will visit the site approximately once every 4 to 6 weeks. The vehicle will park in one of the existing visitor parking spaces provided for the condominium project.

**Water/Sewer.**

This application will have no effect on the city water and sewer lines.

**Open space, scenic corridors.**

This application will have no effect on the site open space requirements and is not located within a scenic corridor.

**Use Permit Criteria.**

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

A. Granting this use permit subject to the approved conditions will not be materially detrimental to the public safety or welfare.

1. There will not be damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination. **A low wattage light will be mounted half way up each flagpole to illuminate the flags to meet the federal flag code requirements.**
2. There will be no impact on surrounding areas resulting from an unusual volume or character of traffic. **This personal wireless communication facility would be unmanned and result in approximately one service vehicle every 4 to 6 weeks.**
3. There are no other factors associated with this project that will be materially detrimental to the public: **There are no other factors associated with this project that will be detrimental to the public.**

B. The characteristics of the proposed conditional uses are reasonably compatible with the types of uses permitted in the surrounding areas. **There are two existing flagpoles located at the existing hotel site north of the subject property. Redevelopment of the hotel site will include hotel demolition, construction of new multi-family residential units, and the removal the two existing flagpoles. This proposal would replace the flagpoles at the entrance of the subject property (northern property line).**

The following additional conditions have been applied to the case relating to wireless communication facilities (WCF):

1. All use permits shall be granted for a maximum of five (5) years from the date of City Council approval. The applicant shall be responsible for initiating a review of the approved wireless facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the use permit. If a new use permit is not granted, the applicant shall be responsible for the removal of the facility. When a use permit is granted for a co-location on a facility with an existing use permit, the action of granting the new use permit shall extend the existing use permit so that they will expire simultaneously. **The Conditional Use Permit approval is valid for a five (5) year period and will be subject to re-approval at that time.**
2. To the degree a proposed WCF meets height requirements set forth in this ordinance, no use permit shall be granted when heights are found to be intrusive, obtrusive or out of character with the surrounding area. **The current zoning ordinance does not have any specific requirements related to the height of flagpoles. The applicant**

**proposes two new flagpoles, one at 47 feet and another at 45 feet.**

3. Antennas and pole diameters shall be harmonious with the existing context and not be intrusive or obtrusive on the landscape or views. **One flagpole will have a 14-inch diameter pole to conceal a total of two antennas and the other a 12-inch diameter pole to conceal one antenna. These diameters are consistent with other WCF flagpoles that have been approved in Scottsdale. The flagpoles will be painted brown (Silvered Bark) to match the color of the condominium gates on site.**
4. The shape of the WCF shall blend with other similar vertical objects and not be intrusive in its setting or obtrusive to views. **The antennas and all associated wires would be concealed within the flagpole and not be visible to the public.**
5. The WCF shall blend into its setting and, to the extent that it is visible, not be intrusive on the landscape or obtrusive on views. **The flagpoles have been placed in an area with other existing vertical elements including the residential buildings and palm trees. In addition, the flagpoles will be painted the same color as the existing entry gates to further blend into existing environment.**

#### **Community Involvement.**

The applicant has contacted all of the surrounding homeowner associations including 7600 Lincoln Homeowners Association, Cabrillo Square, Camelview Greens, Lincoln Place, Ride n Rock Ranchos, and Sienna Condominiums. The applicant has also sent letters describing the project to all property owners within 750 feet of the site. The owners of the property, United Assets, have given Sprint permission to build the facility. One neighbor contacted the applicant asking whether the new facility would interfere with here TV, radio, or phone reception. At the time of preparing this report, no calls, letters, or inquiries have been received by staff regarding this application.

#### **Community Impact.**

The new flagpoles will be placed at the entrance (northern property line) of the existing Paradise View Villas Condominiums. The entrance to these condos is located off of a private drive, which is approximately 1000 feet south of Indian Bend Road. The proposed flagpoles will have minimal visibility Indian Bend Road the closest public street. There are also other vertical elements found at the entrance including the three-story condo buildings and date palm trees that help blend the poles into the existing setting.

STAFF  
RECOMMENDATION

RESPONSIBLE  
DEPT(S)

#### **Recommended Approach:**

Staff recommends approval, subject to the attached stipulations.

**Planning and Development Services Department**  
Current Planning Services

**STAFF CONTACT(S)**

Bill Verschuren  
Senior Planner  
480-312-7734  
E-mail: bverschuren@ScottsdaleAZ.gov

**APPROVED BY**



Bill Verschuren  
Report Author



Randy Graff  
Chief Planning Officer

**ATTACHMENTS**

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Citizen Involvement
8. City Notification Map
9. Site Plan
10. Close-Up Site Plan
11. North Elevation
12. West Elevation
13. Line of Site Map

## Narrative Report

Sprint PCS Wireless Communication Facility  
7609 East Indian Bend Road

November 17, 2003

Starbridge Communications, Inc.  
3333 East Camelback Road, Suite 255  
Phoenix, AZ 85018

**ATTACHMENT #1**

## Purpose of Request

This request seeks approval for Sprint PCS to install a wireless communication facility with a flagpole design at the Paradise View Villas Condominiums, located at 7609 East Indian Bend Road.

Sprint PCS has an existing wireless facility located on the roof of the Holiday Inn at 7601 East Indian Bend Road. According to the property owner, the hotel is scheduled for demolition and redevelopment with residential uses in 2004. As a result of the planned demolition, Sprint PCS needs to replace the wireless facility. Because the site is an existing facility within Sprint's network, there is a significant limitation on acceptable area and height for the replacement facility.

This proposal is to install a stealth wireless facility with a dual flagpole design on a site that is adjacent to the south side of the hotel property. The dual flagpole design is similar to a design constructed by Sprint PCS at Scottsdale Ranch near the intersection of 100<sup>th</sup> Street and Shea Boulevard. This design will serve to minimize any potential visual impact and is located over 300 feet from the nearest single-family residential lot.

## General Background

Sprint PCS and its affiliates have acquired licenses from the Federal Communications Commission ("FCC") to provide Personal Communications Services ("PCS") throughout the United States. These licenses include the City of Scottsdale, the remainder of Maricopa County and other counties in the State of Arizona. This regional system operates under the name of Sprint PCS and is part of an integrated nationwide network of coverage.

The telecommunication facility which Sprint proposes to construct is necessary in order to provide PCS services to the surrounding community, including traditional cellular services such as wireless telephone service and new services not available under traditional analog cellular systems, such as wireless internet connections and wireless data transmission. Sprint's PCS technology operates at various radio frequency ("RF") bands between approximately 1,800 and 2,000 megahertz and utilizes a digital (rather than analog) wireless voice and data transmission system. This technology does not interfere with radio, television or other communications signals, and all matters pertaining to signal interference are within the sole province of the FCC.

Like traditional cellular phone systems, PCS operates on a grid system, whereby overlapping "cells" mesh to form a seamless wireless network. The technical criteria for establishing cell sites are very exacting as to both the height and location of the telecommunication facility. Based upon computerized engineering

studies that take into account, among other things, local population density, traffic patterns and topography, Sprint's RF engineers have identified the necessary locations for PCS sites in the City of Scottsdale and other jurisdictions in Maricopa County.

### Description of Proposal

Once the RF engineers have established "search rings" for the location of wireless communication facilities, Sprint attempts to locate existing wireless facilities suitable for collocation and other existing vertical elements that may be suitable for the location of a wireless communication facility. If no existing wireless facilities or suitable vertical elements exist, Sprint reviews the potential for development of a new wireless facility. In this application, Sprint must relocate an existing wireless communication facility because the site on which it is relocated is being redeveloped, necessitating the removal of the existing site. Because this is the relocation of an existing facility and part of a larger developed network, the new facility must be located in relative close proximity to the existing site to minimize potential negative impact on the network operation.

This proposal is to install a stealth wireless facility designed as a dual flagpole facility on a site that is adjacent to the south side of the hotel property. The dual flagpole design allows for smaller diameter poles because, instead of placing the three required antenna panels in one flagpole as they are typically designed, the antenna panels have been split between the two proposed flagpoles. The flagpole with two antenna panels will have a diameter of 14" and the single antenna flagpole will have diameter of 12". Similar flagpole facilities have been successfully used in other locations to provide wireless service with a design that is sensitive to the surrounding area. The facility will not include any microwave antennas or whip antennas, only the antenna panels that are located within the flagpole.

The antenna height within the flagpole is lower than the existing antenna height on the hotel. One of the flagpoles will have a maximum height of 47 feet to the top of the pole, not including the flagpole truck, and the second flagpole will have a maximum height of 45 feet. The antenna and pole heights were lowered to the maximum possible and still allow system coverage over the three story condominiums that are under construction to the south of the proposed facility location, which have a maximum height of 37 feet to the roof ridge line.

The location of the ground equipment was chosen to eliminate any potential visual impact of the facility. It has been placed in an area behind the trash enclosure area. The equipment will be enclosed within a masonry walled area, designed to match the existing perimeter wall. The access gate to the equipment area will match the existing gates for the development, with the exception that there will be a solid metal screen attached to the gate to preclude visibility into the equipment area.



The equipment located in the ground space area includes a power cabinet, a power protection cabinet, a battery cabinet and three radio cabinets. The initial site development will include only one radio cabinet, with two additional cabinets to be added in the future.

The mechanical equipment area is not staffed and, upon completion, will only require infrequent maintenance visits (approximately one visit per month). The site is entirely self-monitored by sophisticated computers which connect directly to a central office, and which alert personnel to equipment malfunction or breach of security. Most importantly, no smoke, debris or other nuisances will be generated by the telecommunication facility.

The site location is approximately 310 feet north of an existing residential area south of the condominiums. The condominiums, which contain two and three story units, will provide a visual buffer between the site and the residences to the south. Condominiums also exist to the west, with an approximately 580 foot separation between the proposed facility and the nearest residential unit to the west.

### Conformance with Use Permit Criteria

Based upon the design and location of the facility described above, this wireless communication facility complies with the Use Permit Criteria for wireless communication facilities.

The site location provides a significant separation from existing residential development and has been placed so that two and three story condominiums visually screen the site from the closest single-family area. Additionally, the facility is in close proximity to three-story condominiums that under development, which provide a context for the proposed flagpole heights. These three-story condominiums and the palm trees that exist in the perimeter landscaping of the condominiums allow the WCF to blend with other similar vertical objects and not be intrusive in its setting or obtrusive to views. Any potential visual impact is further minimized by the flagpole design.

### Review of Alternate Locations

As part of the Sprint PCS process to develop site locations, several sites were reviewed in the general vicinity to determine the appropriate location to serve the engineering requirements for the site while considering the zoning requirements for the City of Scottsdale. The locations considered prior to the selection of this site were:

1. 12kv Utility poles along Indian Bend Road – The majority of these poles are in areas zoned Open Space (OS). The OS zoning category only allows the use of utility poles of 69kv or greater. There are two poles in an area zoned R-4 that are adjacent to an area with sufficient room for the Sprint PCS ground equipment. However, those poles will be affected by future road improvements currently being designed for Indian Bend Road. Given the possibility that those poles may be relocated or removed as part of the road improvement project, they are not a viable alternative.
2. 12kv utility poles along canal adjacent to golf course – Zoned OS and unavailable for use.
3. Tower element at McCormick Railroad Park - Tower is occupied by an Alltel facility, at an antenna center of approximately 40 feet. According to Alltel, they have three antennas per sector at this facility, leaving no room for Sprint at that height. The lower height that may be available in the tower will not meet the needed RF design to accommodate the replacement of the existing facility. Additionally, this site is too close to other existing Sprint sites on Scottsdale Road.
4. There were no other wireless communication facilities within the search area, thereby eliminating the potential for co-location on another communication facility.

Based upon this analysis and consultation with the Planning Department, the option to develop a stealth flagpole design was determined to create the least possible impact. Flagpoles are currently located on the hotel site that is planned for removal and redevelopment with residential uses.

### Summary

As part of Sprint's review process for the selection of a site, a thorough review of the area surrounding the existing facility was conducted and City personnel were consulted to determine preferred locations. Because this is a relocation site, the possible search area and the zoning ordinance requirements did not provide any viable opportunities for co-location. However, a stealth design was possible and was located to minimize any potential visual impact.





Sprint PCS  
Mummy Relocation

**32-UP-2003**

ATTACHMENT #2



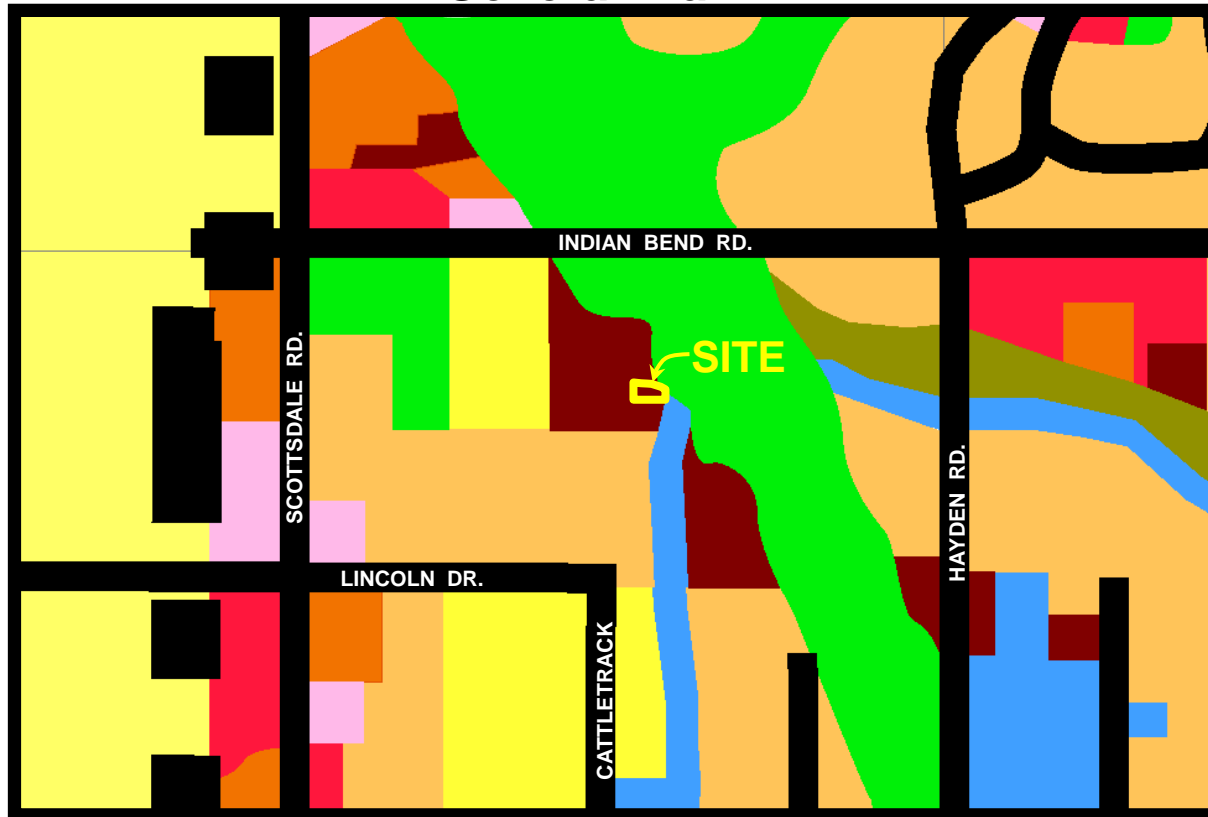


Sprint PCS  
Mummy Relocation

**32-UP-2003**

ATTACHMENT #2A

# General Plan



- |   |  |
|---|--|
| Rural Neighborhoods   | Commercial   |
| Suburban Neighborhoods                                      | Office   |
| Urban Neighborhoods   | Employment   |
| Mixed-Use Neighborhoods                                     | Natural Open Space   |
| Resorts/Tourism   | Developed Open Space (Parks)   |
| Shea Corridor   | Developed Open Space (Golf Courses)                                    |
| Mayo Support District                                       | Cultural/Institutional or Public Use                                   |
| Regional Use District                                       | State Trust Lands under State Land Commissioner's Order #078-2001/2002 |
| McDowell Sonoran Preserve (as of 4/2002)                    |  |
| Recommended Study Boundary of the McDowell Sonoran Preserve |  |
| City Boundary   | Location not yet determined  |



**32-UP-2003**  
ATTACHMENT #3

Adopted by City Council October 30, 2001  
Ratified by Scottsdale voters March 12, 2002  
revised to show McDowell Sonoran Preserve as of April 2, 2002



# 32-UP-2003

ATTACHMENT #4



## **STIPULATIONS FOR CASE 32-UP-2003**

### **PLANNING/ DEVELOPMENT**

1. **CONFORMANCE TO DEVELOPMENT SUBMITTAL.** Development shall conform with the site plan submitted by Starbridge and dated 11/17/03. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. **DIAMETER OF FLAGPOLES.** The first flagpole shall not exceed thirteen (13) inches in diameter at the base of the pole and the second flagpole shall not exceed twelve (12) inches at the base.
3. **FLAGPOLE HEIGHT LIMITATIONS.** The first flagpole shall not exceed forty-seven (47) feet in height and the second flagpole forty-five (45) feet in height.



**ADDITIONAL INFORMATION FOR CASE 32-UP-2003**

**PLANNING/DEVELOPMENT**

1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
  - a. Screening the ground mounted equipment from offsite view.
  - b. Reviewing the materials and colors of the new CMU wall in the context of existing improvements.
  - c. The color and design of the flagpole and its compatibility with adjacent buildings and properties.



**Sprint PCS**  
**32-UP-2003**

Attachment #7. Citizen Involvement

The above attachment is on file at the City of  
Scottsdale Current Planning office,  
7447 E Indian School Road, Suite 105.

# City Notifications – Mailing List Selection Map



## Map Legend:

- Site of Facility
- Properties within 300-feet
- Extended Selection  
(Additional properties notified)

## Additional Notifications:

- Interested Parties List
- Scottsdale Coalition
- 7600 Lincoln HOA
- Paradise View Villas HOA
- Sienna Condominiums HOA

**Sprint PCS**

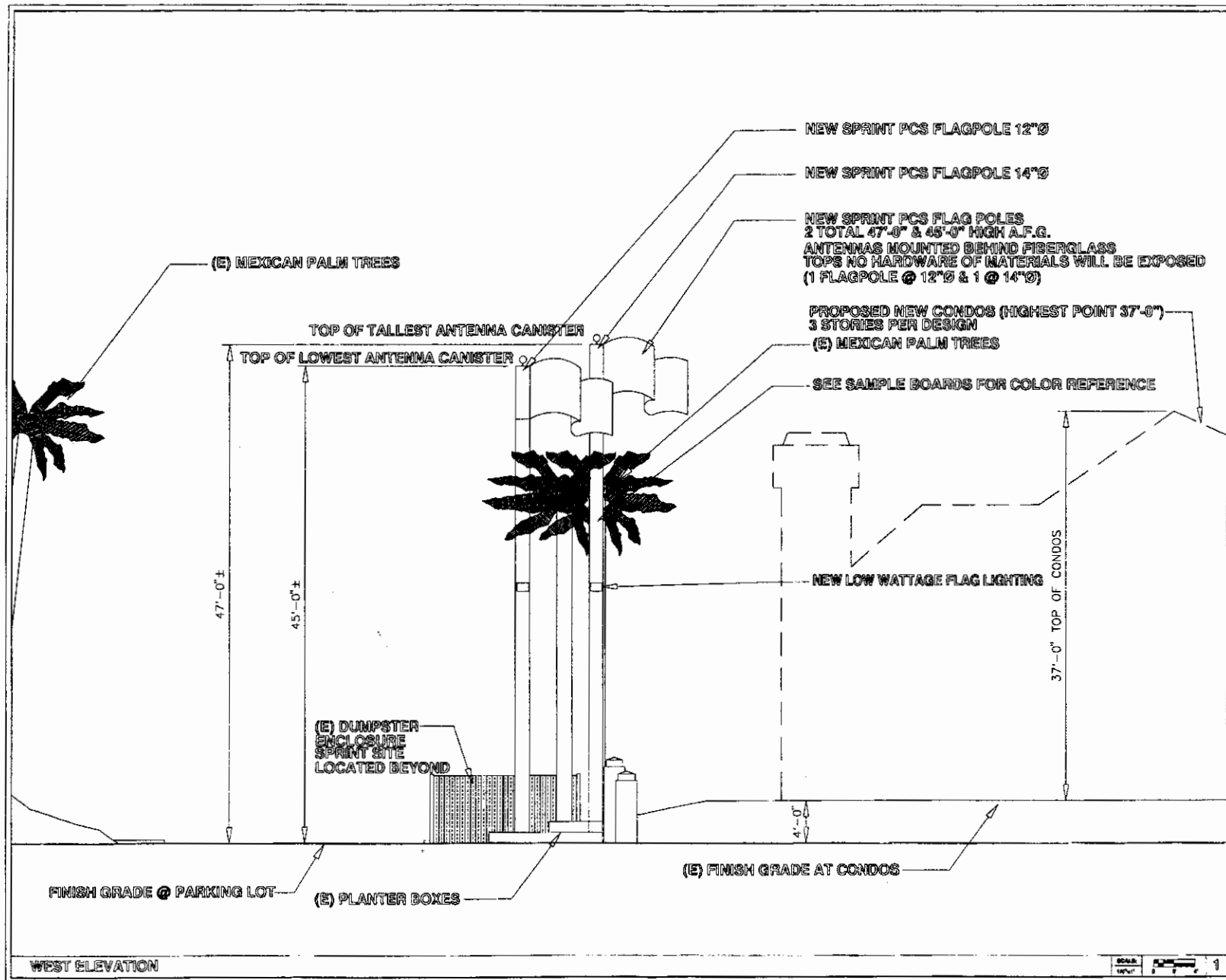
**32-UP-2003**

ATTACHMENT #8





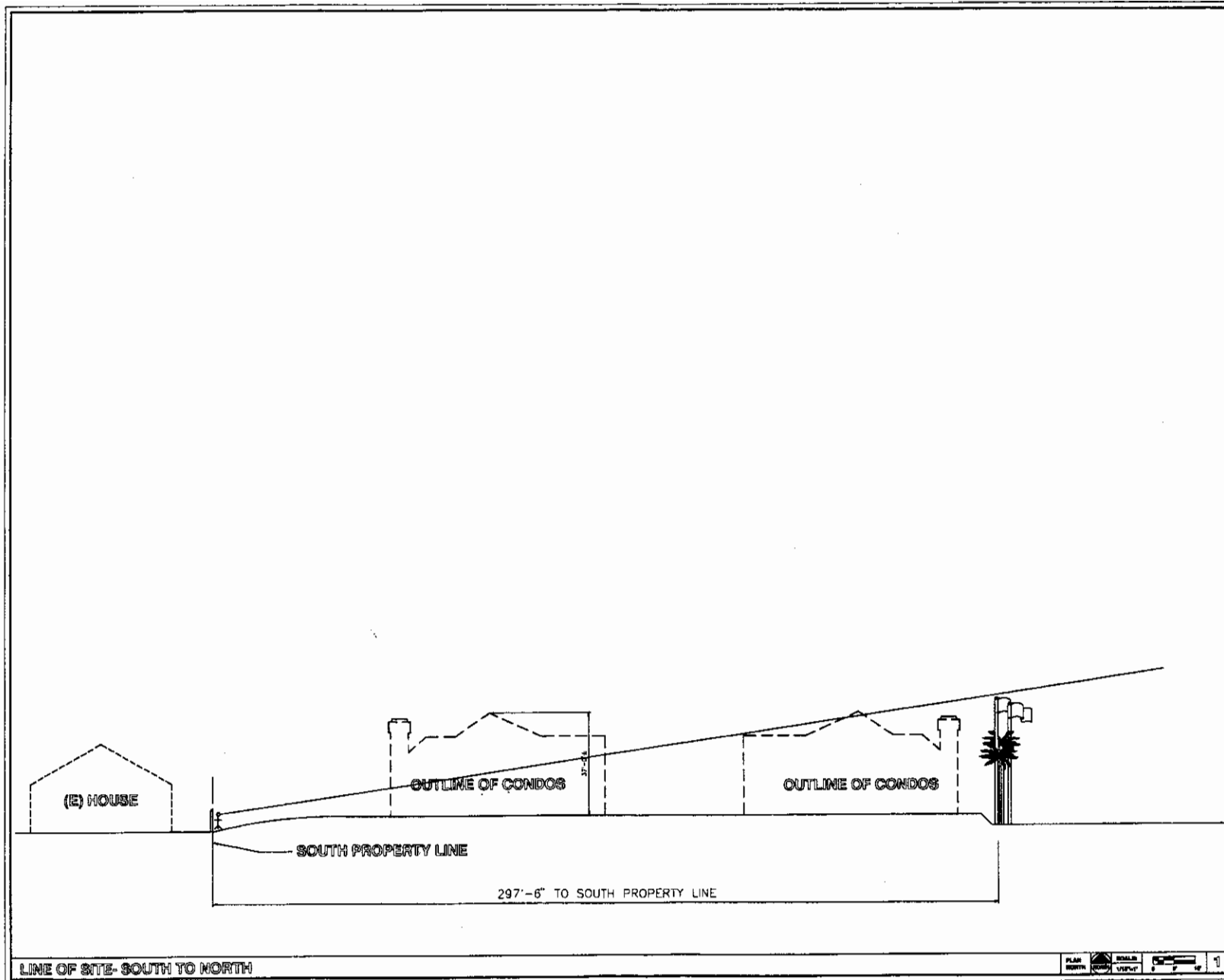




# WEST ELEVATION

<p><b>Sprint</b> Sprint PCS™ 4883 CHABOT DRIVE, SUITE 100 PLEASANTON, CA 94588</p>		
PROJECT INFORMATION:		
<p><b>MUMMY</b> <b>PH03XC142</b> 7809 EAST INDIAN BEND RD. SCOTTSDALE, AZ. 85251 MARICOPA COUNTY</p>		
CURRENT ISSUE DATE:		
11/17/03		
ISSUED FOR:		
ZONING		
REV.	DATE	DESCRIPTION
1	11/17/03	ISSUED FOR ZONING 100%
2	9/10/03	ISSUED FOR DESIGN REVIEW
PLANS PREPARED BY:		
CONSULTANT:		
<p><b>STARBRIDGE</b> 3333 E. CAMELBACK RD. PHOENIX, AZ 85018 602-224-9616 - OFFICE 602-224-9686 - FAX</p>		
DRAWN BY: _____ CHK: _____ APV: _____		
RP	JC	RN
LICENSURE:		
SHEET TITLE:		
ELEVATION		
SHEET NUMBER: _____ REVISION: _____		
<p><b>A4</b> <b>2</b> MUMMY</p>		

32-UP-2003  
11/24/03

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## LINE OF SITE MAP